

These are the emails we have received since the last posting along with our answers to them. When we update the emails, the old ones are transferred to "emails" which is under the "NEWS" button at the top of the home page.

Contact Question –

*Please password protect the site and limit **viewing** to those that pony up. It's the right thing to do...not to mention the additional income*

DP3 Answer:

The problem of limiting the site to only paid-up members lies in keeping the database current. When we change the requirements of paid up membership i.e., the \$500 assessment, we have a problem of determining when to change the database and how to keep it updated. We have decided that this is not a productive use of our time.

Instead, beginning in about two weeks, we will have the capability of sending weekly reports to our members via email. These mailing will only go to our members. Other reports pertaining to Court happenings will also be sent only to our members via email. There are some things we will want to place on the website for all to see. Thanks for your remarks. I agree with your thoughts, just don't have the time or the capability to do it at this time.

Also, as soon as we let the new assessment settle in, we plan to furnish our members with a list of those who have ponied up. That way, you can help us talk to those who haven't.

Contact Question –

I wanted to know if you could shed some light on an issue that surfaced just recently when I was reviewing my last pay statement from Delta. I retired May 1st and my last pay statement shows my earnings for that period, as well as a VERY HIGH "FICA-Med and FICA-OASDI" amount of over \$320,000. Delta's payroll department mentioned that the high FICA figures relates to the Non-Qualified portion of my pension payments, etc, etc. and acknowledged that if retirees do not receive the NQ payments in the future that there may need to be an adjustment to the taxes withheld from our final paycheck. Other than that, I was referred to the Employ Svc Ctr., but they were unable to explain anything about it. So, I am writing to DP3 in hopes of gaining a better understanding of the issue and the consequences of not receiving the NQ payments in the future.

DP3 Answer:

The FICA and Medicare taxes withheld from your final paycheck were the result of imputed income that you were expected to receive in non-qualified benefits over your lifetime. It may be possible for Delta to make a readjustment for the pilot who retired during calendar year 2005. You will have to address that issue with Delta. We do not know the mechanism that could be used to recover FICA and Medicare taxes for previous years. Obviously, we will address that issue at some time in the future. In the meantime, we are expending most of our energy trying to reinstate the non-qualified benefits and protect other retiree benefits that Delta may attempt to alter.

If you would like to research the issue, we would be grateful for your help. We are volunteers who are overloaded at this point in time.

To read previous DP3 emails, select "News" at the top of the home page, then select "emails."

Contact Question –

For us 1 Sep retirees, payroll withheld FICA-MED taxes on the 15 Sep paycheck from the computed present value of the unqualified portion of our retirement. Can that fact be used as an augment in our favor i.e., they withheld the taxes therefore they owe us the money?

DP3 Answer:

That's a neat argument but would draw the retort that when the taxes were withheld there was not anticipation of the loss of non-qualified benefits. We're not sure at this point exactly how the recovery of these taxes will be done. Right now we're concentrating our efforts on letting them keep your taxes by restoring your non-qualified benefits. However we would welcome any research you might do for us on this subject in the event we don't prevail. Thanks for your support. DP3 is working for you

Contact Question

I am unable to read archived articles and emails, even though I have Adobe Acrobat. Do you have suggestions? Also, I have never received any emails from DP3. Please put me on the list.

DP3 Answer

When we built the web site we tried to build it cheap and manageable by us to save having to pay a monthly maintenance fee that amounts to around \$14-\$15,000 a year. You need two programs to use all the parameters of the web site: Adobe's Acrobat Reader and Macromedia Flash Player. Flash Player enable you to use the menu at the top of the page and Acrobat Reader enables you to read PDF articles. The Flash Player program is available, free, at: (If you don't like to enter long URLs, you can go to macromedia.com and follow the prompts)

http://www.macromedia.com/shockwave/download/download.cgi?P1_Prod_Version=ShockwaveFlash

To download the Acrobat Reader, you can click on the word **HERE** at the bottom of the DP3 website, which will take you to this address;

<http://www.adobe.com/products/acrobat/readstep2.html>

Put those two programs in your computer and we believe your problem will be solved.

To read previous DP3 emails, select "News" at the top of the home page, then select "emails."

Contact Question –

The unmitigated greed of those retired Delta pilots represented by Jim Gray and the Delta Pilots Preservation Organization (DP3) is absolutely appalling. Certainly Captain Gray knew from his many years of Air Line Pilot Association work that the unqualified portion of our retirement was always at risk. Who would have thought that a former union official would now champion a position that would put the qualified portion at increased risk. What his organization wants would unjustly drain desperately needed cash from Delta and hasten the termination of the qualified retirement plans of every Delta employee still working - employees who have already suffered massive pay, retirement and benefit cuts with more on the horizon. That Delta employees still working have earned pensions as "part of the compensation package" is of no concern to DP3, they would gladly sacrifice those pensions to feed their own avarice. I'll trade my likely \$29,800 (PBGC maximum) pension for any of their \$160,000 pensions. I can only hope that Judge Beatty slams DP3 with the same reaction I have - for shame!

DP3 Answer: (sent by Jim Gray, DP3 Chairman)

I would hate to think this is about greed and I don't think it is. Delta did the same thing to the retired execs but they have no grounds on which to dispute it since they don't have a contract. Our argument is that this should have been handled under Section 1113 of the Bankruptcy Code and not done as it was, with an end-around legal ploy. If they succeed here, most surely they will feel emboldened to simply make changes as they see fit, with no one willing or able to resist and try for a more favorable outcome for all concerned.

We have no illusions about the outcome--all of us, active and retired--will lose an enormous amount of our pensions, benefits and security. We are seeking those changes to come using the system in place--negotiation, and ultimately agreement, if possible. ALPA has been nearly silent on this, both for regular retirees and the PRPs who are dues-paying active members who also lost their non-qualified benefits.

It is a shame you see this as an I-Me-Mine response, but if no one defends what is proper and earned, then we might as well have never had a contract or made collective decisions about how to allocate our compensation between pay and future security.

For a clearer picture of what we are fighting and how the war is being waged, if you haven't read our Motion to Compel Payment brief and Delta's "Objection...", you may be surprised that you and we may be much closer in agreement than you imagined.

The qualified pensions are at grave risk no matter the outcome of our motion. So are medical benefits and security and benefits under the D&S plan. These are simply huge pools of money that creditors and lenders and Delta will not leave untouched.

Delta is also fighting hard against any retiree committee to represent retired employees, whether pilots or non-pilots. Your solid union experience tells you very clearly where that can lead--nowhere good. Again, ALPA has been silent. DP3 has been the only voice to raise objection to Delta's actions and seek to restore the order of negotiation and the observance of our contract back into the process.

So far, we are the only line of defense against any action Delta may wish to impose. That they opened the fight with a sneaky bit of legal chicanery speaks to their intent. That DP3 was there to object and attempt to restore earned benefits and force any attempts at huge changes out into the light of day, speaks to our intent.

I only wish my pension was \$160,000.

To read previous DP3 emails, select "News" at the top of the home page, then select "emails."